and to have same published as required by the Constitution and Amendments thereto.

SEC. 4. The sum of Five Thousand (\$5,000.00) Dollars or so much thereof as may be necessary, is hereby appropriated from any funds in the State Treasury, not otherwise appropriated, to pay the expenses of said proclamation and of holding said election.

[Note.—S. J. R. No. 16 passed the Senate, April 27, 1933, by a vote of 30 yeas, 0 nays; Senate concurred in House amendment, May 12, 1933, by a vote of 27 yeas, 0 nays; passed the House, with amendments, May 11, 1933, by a vote of 105 yeas, 8 nays.]

Filed in the Department of State, May 16, 1933, with the Governor's signature.

PROPOSING AMENDMENT TO ARTICLE IX OF THE CONSTITUTION CONFERRING UPON COMMISSIONERS COURT GENERAL MANAGEMENT AND CONTROL OF COUNTY AFFAIRS.

H. J. R. No. 14.]

## HOUSE JOINT RESOLUTION.

Proposing an Amendment to Article IX of the Constitution of the State of Texas, by adding a new section to be numbered Section 2-A, said section to have five (5) lettered subdivisions, and conferring upon Commissioners Court general management and control of county affairs, providing for combining of certain offices, and providing for the fixing of compensation of all county and precinct officers, and determining the number of deputies, assistants and clerical help of all county and precinct officers; and providing for certain officers and employees performing additional duties for cities, towns, and districts within their county when required, and authorizing contracts between Commissioners Court and cities, towns and districts for the performance of such additional duties, and providing for the payment therefor; and providing for approval of such contracts by the Attorney General of the State; and providing that the Legislature may, by general law, provide for complete forms of county government and organizations different from that provided for in this Constitution; and requiring an election in such county with reference thereto; and giving to the Commissioners Court certain powers with limitations thereon and providing that no provision of this Constitution in conflict herewith shall hereafter be held to control, except with reference to counties operating under Home Rule Charters; and providing for an election upon such proposed Constitutional Amendment, and making an appropriation therefor.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. That there be added to Article IX of the Constitution of the State of Texas a new section to be numbered

Section 2-A and to have five (5) lettered subdivisions and which section shall read as follows:

"Section 2-A.

- "(a) General management and control of the affairs of the County shall hereafter be vested in the Commissioners Court, provided that in the exercise of powers not specifically granted to the Commissioners Court by the Constitution and Amendments thereto, the Court shall be subject to the authority of the Legislature of the State, and the Court shall also be subject to all general laws of the State now in force not in conflict with the provisions of this Amendment until such laws are modified or repealed.
- "(b) All duties heretofore performed by the Clerk of the District Court and the County Clerk shall hereafter be performed by an officer to be known as Record Clerk; all duties heretofore performed by the County Tax Assessor and the County Tax Collector shall hereafter be performed by one officer to be known as Tax Clerk; and in counties where the sheriff performs the duties of Tax Collector he may hereafter perform the duties of Tax Clerk. The Record Clerk and the Tax Clerk shall be elected to hold office for a term of two (2) years and until their successors shall be elected and qualified. The Commissioners Court shall have authority to combine the office of County Treasurer and the office of County Surveyor or to combine either, or both, of said offices with any other county office. Within the maximum and minimum limits prescribed by the Legislature the Commissioners Court shall have authority to fix the compensation of all county and precinct officers except County Auditor, County Judge and County Com-The Legislature shall fix the compensation of missioners. District Judges, District Attorneys, County Judges and the County Commissioners and may provide for a County Auditor and prescribe his duties and fix his compensation and the number and compensation of his assistants. The Commissioners Court shall fix the compensation of and determine the number of deputies, assistants and clerical personnel of all precinct officers and county officers except the County Auditor.
- "(c) City and county officers and employees may, in addition to their duties as such city and county officers or employees, be required to perform such other similar duties for cities, towns and districts within the county, or for the county, as may be mutually agreed upon and contracted for between the Commissioners Court of said county and the governing board, or boards, of such cities, towns and districts; and the costs of such services shall be provided for in said contracts and paid by such county, cities, towns or districts into the Treasury of the county or city, town or district, as provided for in said contract. All such contracts shall be approved by the Attorney General of this State and such contracts shall not

cover a period longer than two (2) years.

"(d) The Legislature shall have authority, by general law,

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to provide for complete forms of county government and organization different from that provided for in this Constitution to become effective in any county when submitted in such manner as may be prescribed by the Legislature to the qualified voters of such county in an election held for such purpose and approved by a majority of the qualified voters voting in said election. Provided, however, that no such law shall impair the right of the Commissioners Court to determine the compensation of county and precinct officers other than the county auditor, to fix the number of assistants, deputies, and clerical personnel which said officers may employ; nor shall such general law change the present constitutional limitations as to particular and total tax levies for any or all county purposes; nor shall such general law change the present constitutional limitations on counties to incur public debts.

"(e) In any and all cases where provisions of the Constitution of this State are in conflict with the provisions of this Amendment, the provisions of this Amendment (Section 2-A, Article IX) shall control; provided, however, should any county adopt a Home Rule Charter under authority of any provisions of the State Constitution or Amendment thereto, this

Amendment shall not be applicable to such county.'

SEC. 2. The foregoing Constitutional Amendment shall be submitted to the electors of this State, qualified to vote on Constitutional Amendments, at an election to be held throughout the State on the first Tuesday after the first Monday in November, A. D. 1934, at which election each ballot shall have printed thereon the words:

"For the Amendment of Article IX of the State Constitution by adding Section 2-A thereto, giving the Commissioners Court general management and control of county affairs, and authorizing the Legislature to provide more economical forms of county government and different than as now provided by

"Against the Amendment of Article IX of the State Constitution by adding Section 2-A thereto, giving the Commissioners Court general management and control of county affairs, and authorizing the Legislature to provide more economical forms of county government and different than as now provided by

Each voter shall scratch out with pen or pencil the clause which he desires to vote against so as to indicate whether he is voting for or against said proposed amendment.

SEC. 3. The Governor of this State is hereby directed to issue the necessary proclamation for said election, and have the same published as required by the Constitution and laws of the State of Texas.

SEC. 4. The sum of Five Thousand Dollars (\$5,000.00), or so much thereof as may be necessary, is hereby appropriated out of any funds in the Treasury not otherwise appropriated, to pay the expenses of such publication and election.

[Note.—H. J. R. No. 14 passed the House, April 18, 1933, by a vote of 102 yeas, 24 nays; House concurred in Senate amendments, May 2, 1933, by a vote of 110 yeas, 5 nays; received under authority of S. C. R. No. 62 and signatures of Speaker and Chief Clerk were removed from the Resolution of May 12, 1933; House concurred in Senate amendments, May 12, 1933, by a vote of 108 yeas, 7 nays; passed the Senate, with amendments, April 25, 1933, by a vote of 27 yeas, 0 nays; received from Governor's office by authority of S. C. R. No. 62, May 10, 1933, and names of Lieutenant Governor and Secretary of Senate were removed from the Resolution, May 11, 1933; finally passed, as amended, May 12, 1933, by a vote of 24 yeas, 3 nays.]

Filed in the Department of State, May 18, 1933, with the Governor's signature.

INSTRUCTING ENROLLING CLERK OF HOUSE TO CHANGE THE CAPTION OF HOUSE BILL NO. 921.

H. C. R. No. 93.]

## HOUSE CONCURRENT RESOLUTION.

WHEREAS, House Bill No. 921 has passed the House and Senate; and

WHEREAS, It has been found that the Senate adopted an amendment and the caption was not changed to conform with the body of the Bill; therefore, be it

RESOLVED by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be instructed to change the caption to conform with the body of the Bill.

Filed in the Department of State, May 19, 1933, with the Governor's signature.